

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
10

11 JAMES M. KINDER,

12 Plaintiff,

13 vs.

14 CAVALRY INVESTMENTS, LLC, et al.,

15 Defendant.

CASE NO. 07cv2274-IEG (WMc)

ORDER

16 On January 30, 2008, the Court convened a telephonic Early Neutral Evaluation
17 Conference in the above entitled action. Appearing for Plaintiff was Chad Austin, Esq. Appearing
18 for Defendant were Andrew Steinheimer, Esq. and David Leas, Esq.

19 Settlement could not be reached in the case at this time.

20 The Court discussed compliance with Fed. R. Civ. P. 26 and based thereon, issues the
21 following orders:

- 22 1. The Rule 26(f) conference shall be completed before **March 3, 2008**;
- 23 2. A discovery plan shall be lodged with Magistrate Judge McCurine, Jr. on or before
24 **March 13, 2008**. Regarding each witness, the discovery plan will include the name,
25 most current address, most current phone number, and a brief description of the subject
26 matter of his/her testimony. The discovery plan will also include the anticipated dates
27 for the completion of both non-expert discovery and expert discovery; and,
- 28 3. The date of initial disclosure pursuant to Rule 26(a)(1)(A-D) shall occur before **March**

17, 2008;


4. Counsel and parties with full settlement authority are ordered to appear *on March 21, 2008 at 2:00 p.m.* in the chambers of United States Magistrate Judge William McCurine, Jr., 940 Front Street, Courtroom C, San Diego, California, 92101, for a Case Management Conference pursuant to Federal Rule of Civil Procedure 16(b). **Full authority to settle means that the individual present at the settlement conference has the unfettered discretion and authority to: 1) fully explore settlement options and to agree at that time to any settlement options; 2) agree at that time to any settlement terms acceptable to the parties; 3) change the settlement position of a party; and 4) negotiate monetary awards without being restricted to a specific sum certain.**

5. If Judge Gonzalez issues an order regarding plaintiff's motion to remand prior to the Case Management Conference, counsel for plaintiff must notify the chambers of Magistrate Judge McCurine of that ruling.

Failure of any counsel or party to comply with this Order will result in the imposition of sanctions.

IT IS SO ORDERED.

DATED: February 14, 2008



Hon. William McCurine, Jr.
U.S. Magistrate Judge
United States District Court